



DLS Reported Research November 2021

Recent Publications

1. Books

Book Chapters

Lorana Bartels et al [including **Felicity Gerry**], 'Chapter 2 - Australia' in Frieder Dunkel, Stefan Harrendorf and Dirk van Zyl Smit (eds), *The Impact of Covid-19 on Prison Conditions and Penal Policy* (Routledge, 2022) [forthcoming].

Tamsin Phillipa Paige, 'Wilfully Blind: The Security Council's Response to Genocide in Rwanda' in Phillip Drew, Robert McLaughlin, Jeremy Farrall, Bruce Oswald, Boris Kondoch (eds), *Rwanda Revisited*, (Brill, 25 November 2021)

C1: Articles

Jane Kotzmann & Morgan Stonebridge, 'There is Value in Stating the Obvious: Why United States Legislatures Should Explicitly Recognize Animal Sentience in Their Law' (2021) 30(3) *Cornell Journal of Law and Public Policy* 425

Benjamin B Saunders and Alex Deagon, 'Religion and the Constitution: A Response to Luke Beck's Safeguard against Religious Intolerance Theory of Section 116' (2021) 44(4) *University of New South Wales Law Journal* 1560.

Julian R Murphy, **Felicity Gerry**, **Rebecca Tisdale** and Julia Kretzenbacher, 'An Ancient Remedy for Modern Ills: The Prerogative of Mercy and Mandatory Sentencing' (2020) 46(3) *Monash University Law Review* 252

Gabrielle Wolf, 'Growing Enlightenment: Sentencing Offenders With Autism Spectrum Disorder in Australia' (2021) 44(4) *University of New South Wales Law Journal* 1701

Other Research Activities

Conference and seminar presentations

Jean Du Plessis gave the opening keynote address on 28 October 2021 at the Virtual 1st Annual Conference on Corporate & Financial Markets Law, North West University, South Africa, on the topic, "COVID-19: The Virus Causing the Death of 'Shareholder Capitalism' and the All-Inclusive Stakeholder Model as Vaccine against Profit Maximisation for Shareholder Only".

John Morss presented a paper at the Alfred Deakin Institute Annual Conference on November 12th, "'Catch My Disease'?: International Law as Vector'.

Marilyn McMahon, *Keynote Address: Regulating Coercive Control – A Role for the Criminal Law?* 40th Australian and New Zealand Association of Psychiatry, Psychology and Law Congress, 20 November 2021.

Karen Powell & Monica Hope, 'The Digital Economy and International Tax Regulation: Historical Lessons from Securities Law', 14th International ATAX Tax Administration conference.

Shiri Krebs, 'Show Justice: IHL Data Practices and the Bureaucracy of killing', The 16th Annual Minerva Conference on International Humanitarian Law (IHL), 9 November 2021.

Shiri Krebs, 'Technology and Evidence in War', American Society of International Law Research Forum, 11 November 2021.

Neera Bhatia (with Anne Preisz, Clare Delany, Bryanna Moore, Neil Wilmalasundera and Elise Burn) - Panel Session: "Crowded House": Making room (for outside influence) in paediatric clinical practice encounters', Australasian Association of Bioethics and Health Law (AABHL) Conference (Online), Thursday 18 November 11.35-1.05pm.

Neera Bhatia (with Anne-Maree Kelly, Ian Freckelton, Ros McDougall and Gerben Keijzers) - Panel Session: "Patients behaving badly", Australasian Association of Bioethics and Health Law (AABHL) Conference (Online), Friday 19 November 1.45 -3.05pm.

Felicity Gerry, Eddie Chaplin and Clare Allely, 'Autism in the Courtroom' (Speech, Economic and Social Research Council UK, 14 November 2021)

Samantha Hepburn, 17th November 6pm: Live Seminar, 'Energy Security and Climate Change', UNSW Centre for Social Impact, School of Business.

Media appearances

'Episode 33 - **Felicity Gerry QC**', *Law and Guidance Podcast with Sally Penni MBE, Barrister at Law* (Women in the Law UK, 12 November 2021) <<https://talkinglaw.libsyn.com/felicity-gerry-qc>>.

Samantha Hepburn, quoted in, 8th November: "Geelong fuel prices tipped to top \$2 per litre due to shortages and high oil prices in in the Daily Telegraph and Geelong Advertiser

Samantha Hepburn, quoted in, .1st November "Climate change: Why Australia refuses to give up coal" on BBC World.

Samantha Hepburn, 26th November, 10am Interview with Bloomberg News: Head of Asia Energy Team, David Stringer: 'Post COP26 and Adani Starts to Export Coal to India'

Jane Kotzmann, interviewed by James Glenday, 'UK to recognise octopus, crabs and lobsters as sentient animals', ABC Radio National, 28/11/2021, <https://www.abc.net.au/radionational/programs/sundayextra/13648452>

Other publications and research related activities

Jean Du Plessis: As guest lecturer, addressed the corporate law students of the University of the Free State, South Africa, on the topic "The meaning of corporate governance and various company board structures" on 21 October 2021.

Jean Du Plessis: 100 hours of Research Assistance was approved, with Jean as principal investigator, to work on "The Implied Social Contract to do Business", which will be used for exploratory research for a joint research project with the Faculty's Integrated Reporting Centre, aimed specifically at the legal foundations of making it mandatory for public corporations to disclose, and report on, non-financial information, especially on Environmental, Social and Governance (ESG) issue and matters.

Jane Kotzmann was awarded the Alfred deakin post-doctoral fellowship for 2022-2023.

Shiri Krebs Won the David D. Caron Prize, American Society of International Law (2021), for the paper: 'The Effects of Visual Evidence on the Application of International Humanitarian Law: A Behavioural Approach'

Shiri Krebs Submitted a Department of Defence Grant (500k) with computer scientists from the university of Wollongong, titled: 'Warfighting within the law: Legal compliance in a battlespace composed of autonomous weapons systems and human-machine teams'.

Neera Bhatia – Member of the organising committee of the Australian Association of Bioethics and Health Law (AABHL) 2021 conference (Online) Thursday 18 - Sat 21 November 2021.

Felicity Gerry and Emma Milne, 'Why the CPS should revise its guidance on women suspected of causing the death of their infants', *Libertas Chambers* (online, 12 November 2021) <<https://www.libertaschambers.com/wp-content/uploads/Why-the-CPS-should-revise-its-guidance-on-women-suspected-of-causing-the-death-of-their-infants.pdf>>.

Felicity Gerry and Shona Minson, 'Maternal Sentencing and the Rights of the Child' (Webinar, *Libertas Chambers*, 25 November 2021)

Felicity Gerry and Clare Allely, 'The Autistic Defendant in the Courtroom: Current Issues and Considerations' (Webinar, Eventbrite, 11 November 2021)

Felicity Gerry et al, Submission No 61 to Senate Standing Committees on Foreign Affairs Defence and Trade, Parliament of Australia, *Australia's engagement in Afghanistan* (22 October 2021) <<https://www.aph.gov.au/DocumentStore.ashx?id=de56469c-f0a7-4f24-90a2-d3351f14120d&subId=716691>>.

Felicity Gerry and Daye Gang, 'International Law Issues Arising for the Singapore Stock Exchange from its Listing of the Singapore-domiciled Emerging Towns & Cities Singapore Ltd given its Financial Relationship with the Quartermaster General's Office of the Myanmar Army' (Legal Memo, Justice for Myanmar, 13 October 2021)

<<https://www.justiceformyanmar.org/stories/international-legal-issues-arising-for-the-singapore-stock-exchange-from-its-listing-of-emerging-towns-cities-singapore>>.

Felicity Gerry, Evidence to Senate Foreign Affairs, Defence and Trade References Committee, Parliament of Australia, Canberra, 15 November 2021, 1

<https://parlinfo.aph.gov.au/parlInfo/download/committees/commsen/25288/toc_pdf/Foreign%20Affairs,%20Defence%20and%20Trade%20References%20Committee_2021_11_15.pdf;fileType=application%2Fpdf#search=%22committees/commsen/25288/0000%22>.

Deakin University CRICOS Provider Code: 00113B

**Deakin Law School
Faculty of Business and Law
Melbourne Burwood Campus, 221 Burwood Highway, Burwood, VIC 3125**